

EX. H

Atkinson-Baker, Inc.

www.depo.com

1 discussion with Mr. Je? 12:32
 2 A. We didn't have any discussion. I met
 3 him. We said hi, we'd greet, how are you, that was
 4 it.
 5 Q. So there was no discussion about ACA.
 6 A. Not at all.
 7 Q. Okay. Let's go forward from there.
 8 When was the next time that you met Mr. Je in person?
 9 A. Again, I -- I don't remember.
 10 Q. Was there a next time?
 11 A. I probably met him a couple of times in
 12 2019, but I do not remember when.
 13 Q. Okay. When you met him, any of the
 14 times that you met him, did you discuss Eastern
 15 Profit? 12:33
 16 A. No.
 17 Q. Did you discuss this case?
 18 A. No.
 19 Q. Did you discuss Strategic Vision?
 20 A. No.
 21 Q. What did you discuss with him, if you
 22 can remember?
 23 MS. TESKE: Object to the form.
 24 You can answer.
 25 A. We -- again, we did not discuss

Page 42

1 anything. We just greeted each other, how are you, 12:33
 2 and that was it.
 3 Q. Okay. So far we've been talking about
 4 in-person discussions. Before we move on, can you
 5 remember any other in-person discussions that you had
 6 with William Je in 2019?
 7 MS. TESKE: Object to the form.
 8 A. No.
 9 MS. TESKE: You can answer.
 10 Q. Okay. Now we'll move to emails or
 11 other written communications or texts, okay?
 12 A. Mm-hmm.
 13 Q. Have you had any emails or texts or
 14 other written communications with William Je in 2019?
 15 A. Yes. 12:34
 16 Q. When?
 17 A. One email on July 26th when I sent my
 18 resignation letter.
 19 Q. Did he respond to that email?
 20 A. Yes, he did.
 21 Q. What was his response?
 22 A. He accepted the document.
 23 Q. Did you bring a copy of that with you
 24 here today?
 25 A. Yes.

Page 43

1 Q. Can I please see it? 12:35
 2 A. Absolutely.
 3 MS. TESKE: Can we take a short
 4 break, go off the record.
 5 MR. GREIM: Sure.
 6 THE VIDEOGRAPHER: We are off the
 7 record, 12:34 p.m.
 8 (Whereupon, a recess is taken.)
 9 (Whereupon, Maistrello Exhibit 1,
 10 resignation email, is marked for
 11 identification, as of this date.)
 12 (Whereupon, Maistrello Exhibit 2, PDF
 13 attachment to Maistrello Exhibit 1, is marked
 14 for identification, as of this date.)
 15 THE VIDEOGRAPHER: We are back on 12:38
 16 the record, 12:37 p.m.
 17 BY MR. GREIM:
 18 Q. Okay. Ms. Maistrello, what I've marked
 19 here are the documents you gave me, Plaintiff
 20 Exhibit 1 and Plaintiff Exhibit -- I'm sorry,
 21 Maistrello Exhibit 1 and Maistrello Exhibit 2.
 22 Is Exhibit 1 the email by which you
 23 testify you forwarded your resignation to William Je?
 24 A. Yes, it is.
 25 Q. And is Exhibit 2 the PDF attachment to

Page 44

1 Exhibit 1. 12:39
 2 A. It is.
 3 Q. Do you have a copy of them in front of
 4 you still --
 5 A. Yes.
 6 Q. -- or you gave me your only copy?
 7 A. I do.
 8 Q. Oh, you do.
 9 Now, is it your testimony that Mr. Je
 10 responded and said that he accepted it?
 11 A. Yes.
 12 Q. Okay. Did you bring that email with
 13 you?
 14 A. I did not.
 15 Q. Okay. When did he -- I'd ask you to 12:39
 16 produce that afterwards.
 17 A. Mm-hmm.
 18 Q. When did he send that to you?
 19 A. I believe right afterwards.
 20 Q. Did you understand that he was
 21 expecting your email?
 22 A. Yes.
 23 Q. How did you understand that he was
 24 expecting your email?
 25 A. Before this email, I wrote an email

Page 45

12 (Pages 42 to 45)

Karin Maistrello
 August 23, 2019

Atkinson-Baker, Inc.
www.depo.com

1 saying that I would like to resign, so he was 12:39
2 definitely expecting it.
3 Q. When did you write that email?
4 A. On the same day, so July 26th.
5 Q. Okay. At what time?
6 A. I don't remember.
7 Q. Do you have a copy of that email still?
8 A. I do.
9 Q. I would like to ask that you produce
10 that.
11 And I'll say it on the record now,
12 we'll talk about it because this is really something
13 for me and your counsel, but I would like, if I
14 could, to have the electronic version of the emails
15 and responses. 12:40
16 MS. TESKE: Follow up with me, if
17 you could. I'm taking notes, but just in
18 case, just follow up with me in an email
19 after.
20 MR. GREIM: Very good.
21 Q. So when you told Mr. Je, you would like
22 to resign in the prior email that we don't have with
23 us here today, what was his response?
24 MS. TESKE: Object to the form.
25 But you can answer.

Page 46

1 A. Okay. 12:41
2 Q. Is that literally what the email said?
3 A. I don't remember literally, but that
4 was definitely the meaning.
5 Q. Did he tell you that a new director
6 would need to be appointed to fill your place?
7 A. No.
8 MS. TESKE: Object to the form.
9 Q. Do you know whether a new director
10 needs to be appointed to take your place?
11 A. No, I don't.
12 Q. Are you aware of any other directors or
13 officers of ACA who are in the United States?
14 A. No, I'm not.
15 Q. How often does Mr. Je come to the 12:41
16 United States?
17 MS. TESKE: Object to the form.
18 Answer if you know.
19 A. I don't know.
20 Q. Your testimony is that you've met him
21 in person several times, though, in 2019?
22 A. Yes.
23 MS. TESKE: Object to the form,
24 but go ahead.
25 Q. I notice that the name William is

Page 47

1 highlighted in plaintiff Exhibit 1. Do you see that? 12:42
2 A. I do.
3 Q. Why is that?
4 A. 'Cause when I did the search in my
5 email everything that comes with that "William" gets
6 highlighted.
7 Q. When you did that search, how many
8 emails with William Je did you find in your inbox?
9 MS. TESKE: Object to the form.
10 A. I don't know.
11 Q. One or two or more than that?
12 MS. TESKE: Object to the form.
13 A. I really don't know.
14 Q. Were they all listed together there
15 when you ran your search? 12:42
16 MS. TESKE: Object to the form.
17 A. By typing William, all the emails with
18 "William" come up but not necessarily this William.
19 Q. Who drafted the resignation letter?
20 A. William did.
21 Q. Did he send this to you by email?
22 A. He did.
23 Q. Is that your signature? And I'm
24 directing you now to Exhibit 2. Is that your
25 signature on the line?

Page 48

1 A. Yes, it is. 12:43
2 Q. Did you review this document before you
3 signed it?
4 A. Yes, I did.
5 Q. Did you make any changes to it?
6 A. I did not.
7 Q. Do you know whether Mr. Je took any
8 steps, any further steps to make your resignation
9 effective?
10 MS. TESKE: Object to the form.
11 You can answer.
12 A. I don't know.
13 Q. Do you know whether he filed this with
14 the requisite authorities in Hong Kong?
15 MS. TESKE: Object to the form. 12:44
16 You can answer.
17 A. I don't know.
18 Q. Did -- have you asked Mr. Je if he has
19 taken any steps with your resignation letter?
20 A. I have not.
21 Q. Do you know whether under either Hong
22 Kong law or the bylaws and formation documents of the
23 company you have effectively resigned --
24 MS. TESKE: Object.
25 Q. -- from ACA?

Page 49

13 (Pages 46 to 49)

Karin Maistrello
August 23, 2019